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## Franmara

Booth #: **S2478**

Category: gourmet food + specialty products

**FRANMARA®**

560 Work St  
Salinas CA 93901-4350

**Phone:** (831)422-4000

**Fax:** (831)422-7000

**TollFree:** (800)423-5855

[www.franmara.com](http://www.franmara.com)  
[Email general company email](#)

Public Relations/  
Communications Mgr.  
Frank Chiorazzi

US Contact  
Frank Chiorazzi

Non-US Contact  
Frank Chiorazzi

Specialty Retailer Sales  
Contact  
Joann Salcedo

Franmara offers the most comprehensive line of wine and bar accessories in the USA. We carry over ... [more](#)

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franmara

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### Photo Description: Wine and Cheese Set



photos



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[Catalogs](#)

[Brands](#)

Products: click any product to find companies with similar products

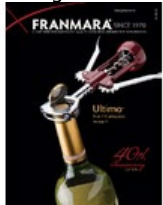
- |                           |                        |                               |
|---------------------------|------------------------|-------------------------------|
| - Acrylicware             | - Cutting Boards       | - Salt & Pepper Shakers       |
| - Bags                    | - Digital Thermometers | - Serving & Buffet            |
| - Bamboo Products         | - Gift Packs & Baskets | Accessories                   |
| - Bar Accessories         | - Giftware             | - Serving Bowls               |
| - Bar Beverage Preservers | - Glassware            | - Spice Mills                 |
| - Bar Drinkware           | (Drinkware/Serveware)  | - Stainless Steel Accessories |

EXHIBIT L

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- |                              |                           |                             |
|------------------------------|---------------------------|-----------------------------|
| - Bar Gadgets                | - Gourmet Products        | - Stainless Steel Holloware |
| - Beverage Carafes           | - Holloware               | - Tabletop                  |
| - Beverages                  | - Ice Buckets             | - Tongs                     |
| - Bottle Openers             | - Kitchen Accessories     | - Trays                     |
| - Can Openers (Non-electric) | - Kitchen Tools & Gadgets | - Wine Accessories          |
| - Cheese Knives              | - Lemon Squeezers         | - Wine Aerator              |
| - Cheese Tools               | - Nutcrackers             | - Wine Cellars              |
| - Closeouts                  | - Party Products          | - Wine Coolers              |
| - Cocktail Shakers           | - Peppermills             | - Wine Making Kits          |
| - Coolers                    | - Picnic Accessories      | - Wine Racks                |
| - Corkscrews                 | - Plastic Plates          | - Wine Totes                |
|                              | - Racks                   |                             |

Catalogs:



[View Catalog >](#)

**Brands:**

- |                      |                  |                           |
|----------------------|------------------|---------------------------|
| - Boomerang          | - Decantus Aero  | - Pulltaps                |
| - Bordex Wine Racks  | - Decantus-To-Go | - Selection Pourer        |
| - Brix Chocolate     | - Dion           | - Sure Shot               |
| - Capitano           | - Franmara       | - SwiftPull               |
| - Cedon              | - Hugger         | - Vacu Vin                |
| - Chateau Laguiole   | - Mr. Boston     | - Wine Aerator            |
| - Cheese             | - Murano         | - Wine Away               |
| - Cheese Accessories | - Paci Pour      | - Wine Bottle Trolley     |
| - Clef du Vin        | - Power Tower    | - Wine Lover's Chocolates |
| - Decantus           | - PrestoVino     | - Wine Yoke               |
| - Decantus           | - Pulltap's      |                           |

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

VINUM CORPORATION,	)	
	)	
Plaintiff,	)	Case No. 11-cv-6996
v.	)	
	)	
FRANMARA, INC.,	)	
	)	
Defendant.	)	Jury Trial Demanded

**COMPLAINT**

Plaintiff Vinum Corporation (“Vinum” or “Plaintiff”), by its attorneys, and for its Complaint against Defendant Franmara, Inc. (“Franmara” or “Defendant”), states and alleges as follows:

**PARTIES, JURISDICTION AND VENUE**

1. Vinum is an Illinois corporation with its principal place of business located in Oak Brook, Illinois.
2. Franmara is a California corporation with its principal place of business located in Salinas, California.
3. This is a civil action arising from Franmara’s infringement of Vinum’s trade dress and design patent. The claims asserted herein arise under the Lanham Act, 15 U.S.C. § 1051, *et seq.* and the Patent Act, 35 U.S.C. § 271, *et seq.*
4. This Court has jurisdiction over the subject matter of this action pursuant to 15 U.S.C. § 1121 and 28 U.S.C. §§ 1331 and 1338. In addition, because the matter in controversy exceeds \$75,000, exclusive of interest and costs, and is between a citizen of a state and a citizen of another state, this Court also has jurisdiction under 28 U.S.C. § 1332.

5. This Court has personal jurisdiction over Franmara by virtue of its commission of tortious acts within the State of Illinois and this District, its transaction of business within the State of Illinois and this District. The infringing products are available for sale, and have been sold, in this District.

### **BACKGROUND**

6. Vinum is a small family owned company based in Oak Brook, Illinois. The HALEY'S CORKER<sup>®</sup> product is a unique device originally designed for use with wine bottles after they are opened. It functions as an aerator, filter, pourer, re-corker and stopper, all designed into one unit. While the HALEY'S CORKER<sup>®</sup> offers so many features in one product, it is also visually unique. A version of the HALEY'S CORKER<sup>®</sup> product is pictured below.



7. In addition to use for wine bottles, the HALEY'S CORKER<sup>®</sup> product may be used for bottles containing a variety of other products, including without limitation, olive oils, vinegars, cordials, liquors, single malt scotch and beer.

8. To achieve the highest quality and customer satisfaction, Vinum uses a pharmaceutical grade material to make the HALEY'S CORKER<sup>®</sup> product.

9. Recognizing the uniqueness of what he created, the inventor of the HALEY'S CORKER<sup>®</sup> product applied for, and received, a design patent for his invention. U.S. Patent No.

D437,782 (“’782 patent”) issued on February 20, 2001, claiming “the ornamental design for a bottle stopper, as shown and described.” A copy of the ‘782 patent is attached hereto as Exhibit

A. The ‘782 patent is valid and enforceable.

10. All right, title and interest in and to the ‘782 patent has been duly assigned to Vinum. Vinum is the sole owner of the ‘782 patent. Prior to the assignment, Vinum was the exclusive licensee to make, have made, import, sell, and offer for sale the HALEY’S CORKER<sup>®</sup> product.

11. Vinum marks each package containing the HALEY’S CORKER<sup>®</sup> product with the patent number, to put the world on notice of Vinum’s patent rights.

12. Vinum began selling the HALEY’S CORKER<sup>®</sup> in 2001 and has sold many hundreds of thousands of them since that time.

#### **VINUM’S INTELLECTUAL PROPERTY RIGHTS**

13. The HALEY’S CORKER<sup>®</sup> product has a unique product configuration that distinguishes it from other bottle stoppers. In particular, the HALEY’S CORKER<sup>®</sup> trade dress features the unique and distinct trade dress shown below (the “HALEY’S CORKER<sup>®</sup> Trade Dress”). The HALEY’S CORKER<sup>®</sup> Trade Dress was designed specifically to be readily distinguished by consumers from competing products on store shelves.



The HALEY'S CORKER<sup>®</sup> Trade Dress is unique and distinctive and consists of, among other features, the strand holding the top to the body of the device, and the overall appearance of the product.

14. The distinctive features and appearance of the HALEY'S CORKER<sup>®</sup> Trade Dress serve the purpose of identifying and distinguishing the HALEY'S CORKER<sup>®</sup> product from the products of other sellers.

15. The HALEY'S CORKER<sup>®</sup> Trade Dress is an inherently distinctive symbol of great consumer goodwill. As a result of both its inherent distinctiveness and the extensive sales and marketing of the HALEY'S CORKER<sup>®</sup> product, consumers associate such trade dress with Vinum and view that trade dress as exclusively designating the source of Vinum's HALEY'S CORKER<sup>®</sup> product.

16. The HALEY'S CORKER<sup>®</sup> Trade Dress has achieved secondary meaning.

17. The HALEY'S CORKER<sup>®</sup> Trade Dress is not functional.

**FRANMARA'S INFRINGEMENT OF VINUM'S HALEY'S CORKER<sup>®</sup> TRADE DRESS**

18. According to Franmara, it is a "manufacturer and master distributor of corkscrews, barware and wine accessories. Franmara does not sell directly to the public. [Its] products are available through food service distributors, advertising specialty dealers, wineries, wine distributors, wine and liquor stores, gourmet shops, mail order catalog houses and other wholesalers and retailers."

19. In or about November 2009, Frank Pat Chiorazzi, President and CEO of Franmara, contacted Vinum by email. Mr. Chiorazzi asked for price quotes and samples of the HALEY'S CORKER<sup>®</sup> product, and represented that his company would offer the HALEY'S CORKER<sup>®</sup> product through its catalog and on its website.

20. Vinum provided Mr. Chiorazzi with the requested information and did not hear from Franmara after the end of November 2009.

21. Recently, Vinum learned that Franmara was offering for sale a product it called Pour 'n Screen Recorker, a virtual knockoff of HALEY'S CORKER®.

22. After learning of Vinum's successful sales of the HALEY'S CORKER® product featuring the distinctive HALEY'S CORKER® Trade Dress, and fully aware of Vinum's HALEY'S CORKER® Trade Dress, Franmara began selling a product called the Pour 'n Screen Recorker, intended to mimic Vinum's HALEY'S CORKER® Trade Dress, including the strand connecting the top to the body and the overall appearance of the HALEY'S CORKER® product.

23. Franmara's Pour 'n Screen Recorker product is intentionally confusingly similar to the HALEY'S CORKER® Trade Dress, as illustrated by the comparative products depicted here:



The infringing Franmara's Pour 'n Screen Recorker product is shown on the left, the HALEY'S CORKER® product is shown on the right.

24. Franmara's mimicry of the HALEY'S CORKER® Trade Dress was intended to cause, is likely to cause, and has caused, confusion with Vinum's trade dress. Its mimicry damages the great and valuable goodwill inherent in the HALEY'S CORKER® Trade Dress.



25. Franmara's Pour 'n Screen Recorker product infringes the distinctive elements of the HALEY'S CORKER<sup>®</sup> Trade Dress, including without limitation, the strand that connects the top to the body and the overall appearance of the HALEY'S CORKER<sup>®</sup> product.

26. Franmara's infringement is willful, intentional, and deliberate, and conducted with the intention of trading on the goodwill and reputation of Vinum.

### **COUNT ONE**

#### **Federal Unfair Competition (Trade Dress) Lanham Act § 43(a), 15 U.S.C. § 1125(a)**

27. Vinum restates and realleges paragraphs 1 through 26.

28. Vinum is the owner of trade dress rights in its HALEY'S CORKER<sup>®</sup> product.

29. Franmara's use of trade dress confusingly similar to Vinum's HALEY'S CORKER<sup>®</sup> Trade Dress on its Pour 'n Screen Recorker product is likely to cause confusion or to cause mistake, or to deceive as to the affiliation, connection, or association of Franmara with Vinum, or as to the origin, sponsorship, or approval of Franmara's goods, services, or commercial activities. Such actions constitute unfair competition, false designation of origin, and palming off in violation of the Lanham Act § 43(a), 15 U.S.C. § 1125(a).

30. Franmara's actions have caused, and will continue to cause, irreparable harm to Vinum unless permanently enjoined. Vinum has no adequate remedy at law.

31. Franmara has profited from its infringement of Vinum's trademark rights and will continue to profit from it. Franmara's actions are causing and will cause Vinum monetary damage in amounts presently unknown but to be determined at trial.

### **COUNT TWO**

#### **Design Patent Infringement 35 U.S.C. § 271**

32. Vinum restates and realleges paragraphs 1 through 26.

33. Vinum is the owner of the '782 patent.

34. Franmara has infringed and continues to infringe the '782 patent by making, having made, importing, offering to sell and selling in the United States products, including without limitation, the Pour 'n Screen Recorker product, the design of which is covered by the '782 patent.

35. Franmara's actions have caused, and will continue to cause, irreparable harm to Vinum unless permanently enjoined. Vinum has no adequate remedy at law.

36. Franmara has profited from its infringement of Vinum's design patent rights and will continue to profit from it. Franmara's actions are causing and will cause Vinum monetary damage in amounts presently unknown but to be determined at trial.

37. Franmara has willfully engaged in infringement of Vinum's design patent rights.

**PRAYER FOR RELIEF**

WHEREFORE, Vinum Corporation requests that the Court enter judgment:

- (a) In favor of Vinum and against Franmara on all Vinum's claims;
- (b) Preliminarily and permanently enjoining and restraining Franmara, its officers, agents, subsidiaries, servants, partners, employees, attorneys, and all others in active concert or participation with it, from the manufacture, distribution, offering for sale, sale, advertising and/or promotion in the United States of products bearing the trade dress depicted in ¶13 above or bearing any other trade dress confusingly similar to Vinum's HALEY CORKER® Trade Dress, including without limitation, the Pour 'n Screen Recorker;
- (c) Preliminarily and permanently enjoining and restraining Franmara, its officers, agents, subsidiaries, servants, partners, employees, attorneys, and all others in

active concert or participation with it, from the manufacture, importation, distribution, offering for sale, or sale, in the United States of products that infringe Vinum's design patent rights, including without limitation, the Pour 'n Screen Recorker;

- (d) Requiring Franmara to deliver up for destruction all products, labels, signs, prints, packaging, wrappers, and advertising or promotional materials in its possession or within its custody or control and any screens, files, molds, and any other item tangible or intangible used to produce such materials that bear any trade dress in violation of Vinum's rights, including without limitation, the Pour 'n Screen Recorker;
- (e) Requiring Franmara to notify its customers in writing that they are not to sell products bearing the HALEY'S CORKER<sup>®</sup> Trade Dress or infringe Vinum's design patent rights, and that said customers are to impound or return all such products to Franmara, including without limitation, the Pour 'n Screen Recorker;
- (f) Requiring Franmara to account for and pay over to Vinum, Franmara's profits and all damages sustained by Vinum;
- (g) Increasing the amount of damages and/or profits awarded Vinum as appropriate pursuant to 15 U.S.C. § 1117(a) and 35 U.S.C. §§ 284 and 289;
- (h) Awarding Vinum reasonable attorney's fees, costs, expenses, and interest pursuant to 15 U.S.C. § 1117(a) and 35 U.S.C. § 285; and
- (i) Awarding Vinum such other relief as the Court deems just and proper.

**JURY DEMAND**

Plaintiff, Vinum Corporation, demands a trial by jury on all matters and issues triable by jury.

October 4, 2011

VINUM CORPORATION

By: /s/ Mark K. Suri


James D. Ryndak #2435942  
Mark K. Suri #6199636  
Eric H. Weimers #6205977  
RYNDAK & SURI LLP  
200 W. Madison Street  
Suite 2100  
Chicago, IL 60606  
Phone: 312-214-7770  
Fax: 312-214-7715

Attorneys for Vinum Corporation

## EXHIBIT N

**Categories**

- Bar Accessories
- Wine Accessories
- Champagne Accessories
- Corkscrews
- Wine Decanting
- Wine Aerator
- Gifts for Wine Lovers
- Bottle Stoppers & Pourers
- Wedding Wine Favor Accessories
- Clef du Vin
- Wine Tote Bags & Wine Gift Bags
- Cheese and Wine Accessories
- Wine Glasses**
- Wine and Champagne Chillers
- Uncorking Machines
- Wine Racks
- Peppermills
- Crumb Scrapers
- Wine Glass Charms and Markers
- Wine Tasting Kits
- Catering Bowls
- Wine Books & Guides
- Foil Removers
- Cigar Cutters
- Special Packaging

**PrestoFlex**

**Description**

#8518 PrestoFlex

Flexible stemless wine glass.

Made of a shatterproof BPA-Free polymer.

Has a contoured finger grip at the base.

Enjoy the color and sense the bouquet of the wine as you freely swirl the wine in the clear bowl.


Great for events. Reusable, recyclable. Hand wash only.

**Reviews**


Be the first to submit a review on this product!


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**More Items in Wine Glasses**





[White Wine Glass - Acrylic - 12oz](#)







[StemGrips](#)






[Acrylic Wine Glasses - Set of 4](#)





[Stemware Racks - Acrylic](#)



**Your Basket**

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**Hacker Safe & Secure**

\*\*\*\*\* [reviews](#)




Item #: 8518

Our Price: \$2.40


Quantity:

**ADD TO WISHLIST**

**ADD TO CART**




**Top Sellers**




[Super Tasting Wine Glass - Eastman Tritan Plastic](#)

SKU: 8511

Price: \$6.95




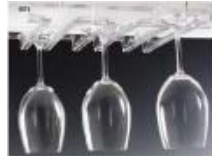


[PrestoFlex](#)

SKU: 8518

Price: \$2.40






[Stemware Racks - Acrylic](#)

SKU: 8078

Price: \$11.75



**Testimonials**

John, We just wanted to thank you for the fast and

EXHIBIT N

friendly service. We received the corkscrews yesterday. The laser personalization looks great. I hope the guys in the wedding party like them as much as we do. Thanks again, That's it!!

Thanks so much John. Everything arrived yesterday evening. I am really pleased with the order and will make sure to recommend Barparts to my friends and family!

[Read more testimonials](#)



<b>Bar Accessories</b> <a href="#">Home Bar Accessories</a> <a href="#">Cocktail Shakers</a> <a href="#">Flasks</a>	<b>Corkscrews</b> <a href="#">Waiter's Corkscrews</a> <a href="#">Chateau Laguiole Corkscrews</a> <a href="#">Cepage Laguiole Corkscrews</a> <a href="#">Pocket and Travel Corkscrews</a> <a href="#">Automatic Corkscrews</a> <a href="#">Two Prong Extractors</a> <a href="#">Wing Corkscrews</a> <a href="#">Laguiole en Aubrac</a>	<b>Bottle Stoppers and Pourers</b> <a href="#">Wine Stoppers</a> <a href="#">Wine Pourers</a>	<b>Wine and Champagne Chillers</b>
<b>Wine Accessories</b> <a href="#">Wine Accessories</a> <a href="#">Wine Serving Items</a> <a href="#">Wine Savers</a> <a href="#">Lapel pins</a>	<b>Wine Decanting</b> <a href="#">Venatian Crystal Wine Decanters</a> <a href="#">Wine Decanting Accessories</a>	<b>Wedding Wine Favor Accessories</b> <b>Clef Du Vin</b> <b>Wine Tote Bags and Wine Gift Bags</b> <a href="#">Wine Tote Bags</a> <a href="#">Wine Bottle Gift Bags</a> <a href="#">Holiday Wine Gift Bags</a>	<b>Uncorking Machines</b>
<b>Champagne Accessories</b> <a href="#">Champagne Accessories</a> <a href="#">Champagne Savers</a>	<b>Gifts for Wine Lovers</b>	<b>Cheese And Wine Accessories</b> <b>Wine Glasses</b> <a href="#">Wine Glasses</a> <a href="#">Champagne Flutes &amp; Martini Glasses</a>	<b>Wine Racks</b> <b>Peppermills</b> <b>Crumb Scrapers</b> <b>Wine Glass Charms and Markers</b> <b>Wine Tasting Kits</b> <b>Catering Bowls</b> <b>Wine Books and Guides</b> <b>Foil Removers</b> <b>Cigar Cutters</b> <b>Special Packaging</b>

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EXHIBIT Q





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MARKETING  
PROMOTIONS

*Low Prices &  
Superior Service*



**508.497.9191**

**Make It Happen!**

## Set Of 4 16 Oz. Prestoflex Stemless Wine Glasses

Item #YVYCJ-JEFZA

This thin, transparent glass, made of a shatterproof, BPA free polymer called PETG. It is known as a clear thermoplastic used especially for beverages and food. Has a contoured finger grip at the base. Enjoy the color and sense of bouquet of the wine as you freely swirl the wine in the clear bowl. Hand wash only. 4 3/8" H x 3 1/4" Diameter



**Category:** Drinking Glasses

**Colors:** Clear

**Themes:** Barware, Drinking, Restaurant

**Imprint:** 3"x1 1/2". Laser engraved. Price includes 1 color, 1 location

**Options:** Imprint Methods: Laser Engraved, Screen Printed  
 (100:\$9.50, 250:\$9.41, 500:\$8.63, 1000:\$8.50, 2500:\$7.76)  
 Additional Options: Split Destination Shipments, Art Charge Per Hour, Art Charge Per 1/2 Hour  
 Additional Options: Pre Production Proof Actual Sample (+\$40.00), Copy Change (+\$50.00), Screen Print Setup 1st Time (+\$50.00), Pad Print Setup 1st Time (+\$50.00), Hot Stamp Die Charge 1st Time (+\$50.00), Glass Etch Laser 1st Time (+\$50.00), Drop Stop Setup 1st Time (+\$87.00), Factory Die Charge for Metal Stamping 1st Time (+\$220.00)

## EXHIBIT R

**Packaging:** Factory boxed (printed box)**Production Time:** 10 to 15 working days

<b>Quantity:</b>	36	100	250	500	1,000	2,500
Pcs. Per Unit:	4	4	4	4	4	4
<b>Your Price (each):</b>	\$10.02	\$9.87	\$9.79	\$8.98	\$8.85	\$8.07

Setup: \$50.00. Pricing is per unit. Freight cost not included.

REQUEST QUOTE

BACK

Minimum order size is \$300.00. The best way to get more information on any item is to click the "Request Quote" button and fill out the shopping cart (Name, Phone & Fax Number, E-mail Address). This DOES NOT obligate you to purchase anything. We will contact you shortly after. Minimum order size is \$300.00

Order total does not include screen/setup and freight. Additional charges may be needed for artwork revisions, proofs, or PMS color matches. Pricing and products are also subject to availability. We will contact you if product is unavailable with an alternative selection. You will be contacted personally before any order is placed to confirm your order. Our mission is to make your promotion the best it can be! We want you to get your products on time and at the best possible price!

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**WE OFFER OVER  
966,000  
PROMOTIONAL  
PRODUCTS**  
LET US BE YOUR ONE STOP SHOP!

## 16 Oz. PrestoFlex Stemless Wine Glass

### Pricing for Item# JJRRB-JEFYS

Quantity:	80	100	250	500	1000	2500
List Price:	\$2.58	\$2.53	\$2.52	\$2.31	\$2.28	\$2.09
October, 2013 Sale Price:	\$2.40	\$2.36	\$2.35	\$2.15	\$2.12	\$1.95

**HAVE QUESTIONS?  
CONTACT US**  
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OR CALL TOLL FREE  
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### 16 Oz. PrestoFlex Stemless Wine Glass

#### Item# JJRRB-JEFYS

This thin, transparent glass, comprised of a shatterproof, BPA free polymer called PETG. It is known as a clear thermoplastic used especially for beverages and food. Has a contoured finger grip at the base. Enjoy the color and sense of bouquet of the wine as you freely swirl the wine in the clear bowl. Hand wash only. 4.375" High x 3.25" Diameter

Item Colors: Clear

[More Info](#)

**ORDER ONLINE OR CALL  
1-877-893-1741**

**PLEASE FILL OUT THE INFORMATION BELOW:**

Enter Quantity	<input type="text" value="0"/>
Price Per Piece	Please update the quantity to view the price.
Product Color	Clear
You may upload your logo/artwork at the end of the order process.	
Imprint Methods	Please select
Setup Fee	\$50.00
Production Time	10 to 15 working days
Sub total	Please update the quantity to see the sub total.

**BUY NOW**

Additional Charges:  
Setup: \$50

If you have any questions about the additional charges, please call us at 1-877-893-1741 or 813-569-0166

Note: The prices and descriptions for the item on this page are subject to change without notice.

We, at JH Studios, Inc., do our best to keep our product information and pricing up to date, however, should you find an error please let us know by submitting it to our contact form. Please feel free to call and verify current pricing before placing your order. Thank you.

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EXHIBIT S



16 Oz. Pint Glass  
As low as: \$1.30



20 Oz. Aluminum Sports Bottle/  
BPA-Free  
As low as: \$2.45



10 Oz. Vino2Go Tumbler  
As low as: \$4.81



Tritan16  
As low as: \$7.43



14 Oz. Chiller Double Wall Acrylic  
Tumbler  
As low as: \$3.44



16 Oz. Mixing Glass  
As low as: \$1.67



10 oz Double Wall Wine Tumbler  
w/ Floating Stem  
As low as: \$5.49



Wine 10 Oz. Tumbler  
As low as: \$4.61



Brazilian  
As low as: \$3.65



16 Oz. Sublimated Pint Glass  
As low as: \$3.40



16 Oz. Pint Glass  
As low as: \$6.37



16 Oz. Tube Tumbler Hot & Cold  
Gift Set  
As low as: \$6.05



EXHIBIT T



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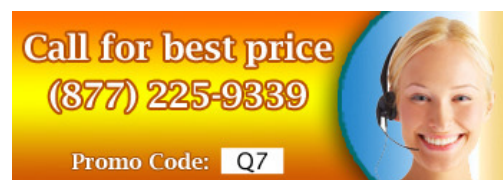
Personalized Promotional Products and Gifts

Keyword Search: >> [Promotional Drinking Glasses](#)

## Promotional Logo Imprinted Set of 4 16 Oz. PrestoFlex Stemless Wine Glasses

**Product Code:** ZAVHJ-JEFZA**Colors:** Clear**Dimensions:** 4 3/8" H x 3 1/4" Diameter

**Description:** This thin, transparent glass, made of a shatterproof, BPA free polymer called PETG. It is known as a clear thermoplastic used especially for beverages and food. Has a contoured finger grip at the base. Enjoy the color and sense of bouquet of the wine as you freely swirl the wine in the clear bowl. Hand wash only. 4 3/8" H x 3 1/4" Diameter

**Imprint Area:** 3"x1 1/2"**Production Time:** 10 to 15 working days**Set-up charge:** \$50.00**Quantity:** 36+ - \$10.66 ea.**Select Color:** Clear[order a sample](#)

### 16 Oz. Pint Glass



1.39 - 1.68

### 16 Oz. Tervis Tumbler



11.22 - 12.88

### 20 Oz. Aluminum Sports Bottle/...



2.63

[Promotional Barware](#) | [Promotional Drinking](#) | [Promotional Restaurant](#) | [Promotional 16 Oz.](#) | [Promotional PrestoFlex](#) | [Promotional Stemless](#) | [Promotional Wine Glass](#) | [Promotional Round](#) | [Promotional Transparent](#) | [Promotional Thin](#) | [Promotional Shatterproof](#) | [Promotional BPA Free Polymer](#) | [Promotional PETG](#) | [Promotional Thermoplastic](#) | [Promotional Contoured Finger Grip](#) | [Promotional Hand Wash](#) | [Promotional Set of 4](#) |

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**Int. Cl.: 21**

**Prior U.S. Cls.: 2, 13, 23, 29, 30, 33, 40 and 50**

**Reg. No. 3,586,708**

**United States Patent and Trademark Office**

**Registered Mar. 10, 2009**

**TRADEMARK  
PRINCIPAL REGISTER**

**GOVINO**

BY THE GLASS, LLC (NEVADA LIMITED LIABILITY COMPANY)  
9120 ORIOLE WAY  
LOS ANGELES, CA 90069

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

FOR: DRINKING VESSELS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

SER. NO. 77-537,004, FILED 8-1-2008.

FIRST USE 2-21-2008; IN COMMERCE 2-21-2008.

SUSAN STIGLITZ, EXAMINING ATTORNEY

EXHIBIT V

## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Maria A. Pallante*

Register of Copyrights, United States of America

**Registration Number**  
**VA 1-845-405**

**Effective date of registration:**

February 7, 2013

## Title

**Title of Work:** Govino 4-Pack Tote

## Completion/Publication

**Year of Completion:** 2008

**Date of 1st Publication:** January 1, 2009

**Nation of 1st Publication:** United States

## Author

■ **Author:** Michael Roche

**Author Created:** 2-D artwork

**Work made for hire:** No

**Citizen of:** United States

**Domiciled in:** United States

**Year Born:** 1967

## Copyright claimant

**Copyright Claimant:** By The Glass, LLC

615 Hampton Drive, Loft C103, Los Angeles, CA, 90291, United States

**Transfer Statement:** By written agreement

## Rights and Permissions

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**Address:** 23632 Calabasas Rd., Ste. 201

Calabasas, CA 91302 United States

## Certification

**Name:** Scott M. Lowry

**Date:** February 7, 2013

**Applicant's Tracking Number:** BTG-54303



**Correspondence:** Yes



